

U.S. Parent Application Serial No. 10/687,390  
Reply to Office Action dated February 28, 2006

**Remarks:**

Applicant has read and considered the Office Action dated February 28, 2006 and the references cited therein. Claims 1 and 3 have been amended. Claim 2 has been cancelled without prejudice or disclaimer. Claims 4-7 have been withdrawn. Claims 1 and 3 are currently pending.

The Office Action stated that claims 3 and 5 relate to a non-elected Species. Claims 3 and 5 were withdrawn and not examined in the Office Action. Claim 5 has now been withdrawn and claim 3 has been amended and is believed to read on the elected Species.

Claim 1 was objected to for several formalities. Claim 1 has been amended and the objected to language has been amended to read as suggested by the Examiner in the Office Action. In addition, claim 2 was objected to for failing to further limit the subject matter of the previous claim. Claim 2 has now been cancelled without prejudice or disclaimer.

Claims 1 and 2 were rejected under 35 U.S.C. § 112 second paragraph as being indefinite. The Office Action stated that "the seat" at line 12 of claim 1 was unclear since a first and second seat had been previously recited. Claim 1 has been amended to recite the first seat as was previously recited in the claim. Applicants assert that proper antecedent basis is provided and that the indefiniteness rejection has been overcome.

Claims 1 and 2 were rejected as being anticipated by Grosseau. In addition, claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Grosseau in view of Bruehl. Claim 1 has been amended and clarifies the structure of the present invention. The Grosseau reference teaches a different structure. The tension rod and the steering lever are connected to the first seat which supports the axle of rotation of the connection element and is controlled by the actuator. The Grosseau reference teaches direct connection to the tension rod and the steering lever. The invention recited in claim 1 differs structurally and provides advantages over

U.S. Patent Application Serial No. 10/687,390  
Reply to Office Action dated February 28, 2006

Grosseau. When uneven terrain is encountered, longitudinal oscillations of the wheel due to oscillations of the pendulum member around a transverse pivotal axis attenuate the impact transmitted to the body by the suspension members. The Grosseau reference provides a suspension on each side of the vehicle with the pendulum member 5A shown in Figures 6-8, that bears against the wheel 4 and is connected to the end of the arm of transverse pivot 7A. The support for the wheel hub rotates on an axle 17 into a seat adapted to rotate on the axis 7A supporting rotation into another seat connected to the end of the arm. Horizontal shock or brake forces produce an oscillation of the pendulum member 5A parallel to the direction of travel in Grosseau. As oscillation also passes to the connection of the steering bar D and to the pendulum member 5A, which give rise to toe variation. Therefore, Grosseau has unwanted harmful vibration present in its system.

Conversely, in the present invention, only the longitudinal oscillation remains and all the displacement is limited. This isolation of unwanted oscillation has less of a negative impact on handling qualities of the vehicle, in particular toe in or toe out, track width and camber of the wheel. As the invention recited in claim 1 is structurally different than the Grosseau apparatus and provides advantages in performance and reliability, Applicant asserts that claim 1 patentably distinguishes over Grosseau. Moreover, the Bruehl reference fails to address the shortcomings of Grosseau. Applicant therefore asserts that claim 1 also patentably distinguishes over the combination of Grosseau and Bruehl for at least the same reasons.

Claim 3 is also believed to be allowable as providing an advantageous mounting that is neither shown nor suggested by the prior art. Applicant asserts that claim 3 is allowable for the reasons discussed above as well as for its advantageous mounting.

U.S. Patent Application Serial No. 10/687,390  
Reply to Office Action dated February 28, 2006

A speedy and favorable action on the merits is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.



Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: \_\_\_\_\_

*6/20/06*

By: \_\_\_\_\_

*[Signature]*

Gregory A. Sebard  
Reg. No. 33,280  
GAS/km